

IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.449 of 2008
RITA DEVI Petitioner
Versus
1. STATE OF BIHAR AND
2. PAPPU YADAV Opposite Parties.

2. 3.12.2008. This revision has been preferred against the order dated 31st January, 2008 passed by Ist Additional Sessions Judge, Bhagalpur in Cr. Appeal No.110 of 2007 thereby the learned Sessions Judge has set aside the order of Juvenile Justice Board dated 24.8.2007 refusing the prayer of opposite party no.2 to declare as juvenile. He remanded back the matter for reconsideration in the light of the observation and direction of the Hon'ble High Court as well as the Sessions Judge.

Heard the learned counsel for both the parties.

On perusal of the impugned order, it appears that the main ground for remand is non-consideration of the School Leaving Certificate and report of the Medical Board. On perusal of the order dated 24.8.2007 passed by Juvenile Justice Board, it appears that actually the aforesaid two documents have not been considered.

Under the circumstances, I find no illegality in the impugned order.

Accordingly, this revision application is hereby rejected. However, the Juvenile Justice Board is directed to dispose of the matter in the light of the direction given in the impugned order within one month of receipt of this order.

(Ghanshyam Prasad)

N.H./